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26th February, 1948.

75172/48 Pal.

Dear Archbishop

In Mr. Creech Jones's absence in New York, I am writing to you with reference to his letter of the 12th January regarding the Orthodox Patriarchate Ordinance.

We have now heard from the High Commissioner for Palestine that negotiations to arrive at a settlement of the long-standing dispute between the Orthodox Patriarchate and the Arab Orthodox Community have been continued by the District Commissioner, Jerusalem District, and the Solicitor General, but so far no agreement has been reached.

Although there would appear to be little prospect of reconciling the two parties in this difficult dispute, you may rest assured that the Government of Palestine, in the short time remaining to it, will continue to use its best endeavours to arrive at a settlement acceptable to both sides.

Yours sincerely,

(Sgd.) W.J.B. OSBORNE.

Private Secretary

The Most Reverend
Archbishop Germanos.

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PAL. REF. NO. SF/112/44

From the High Commissioner for Palestine.

C.O. REF. NO. 75172/48

To The Secretary of State for the Colonies

16th February, 1948.

No. 125 Saving.

Your saving telegrams No.281 of 1947 and 60 of 1948;
Affairs of the Orthodox Patriarchate.

Negotiations to arrive at a settlement of the longstanding dispute between the Orthodox Patriarchate and the Arab Orthodox Community have been continued by the District Commissioner, Jerusalem District, and the Solicitor General. Owing to the uncompromising attitude adopted by both parties to the dispute on the essential problem of whether or not the Arab laity should have an authoritative voice in the management and administration of the properties of the Patriarchate, there is little or no hope of agreement being reached.

2. The Arab laity have made many concessions from their original demands; and the Patriarchate, under the moderating influence of His Beatitude the Patriarch, came very near to arriving at agreement. It may be significant that the Hellenic elements in the Patriarchate appeared to receive new inspiration shortly after the appointment of the new Greek Consul General, M. George Kapsambelis, and have become recalcitrant and less reasonable in their insistence on the Arab laity having no rights whatsoever in the management of the properties of the Patriarchate. Recently, the Greek Consul General paid a brief visit to Athens, and there can be no doubt that the present representations made to His Majesty's Government by the Greek Ambassador in London and by the Archbishop of Thyateira are a direct result of the information given by M. Kapsambelis to the authorities in Athens. Both before and after his visit to Athens, M. Kapsambelis called on the District Commissioner, Jerusalem, and emphasised how opportune was the present time to insist on the Arab laity getting no powers under the proposed new Orthodox Patriarchate Ordinance which would conflict with the authorities which have always existed for the management of these properties: in other words, that this Administration should do nothing to remove the causes of the dispute which broke out in the 1870's.

3. During some of the interviews between the District Commissioner and the representatives of the Patriarchate, the opportunity was taken to explain to them that this Government might find difficulty in refusing a request from the Arab laity for the enactment of rules for the organisation of the Community's affairs under the Religious Communities Ordinance 1928 (Cap. 126), if agreement was not reached on the present proposals for a new Orthodox Patriarchate Ordinance. It will readily be understood that, during recent negotiations, both the lay community and the Patriarchate have been asked and advised to make larger concessions in order that the present differences would be removed.

4. I suggest that the Royal Hellenic Government and the Archbishop of Thyateira be informed that this Government is using its best endeavours to arrive at a settlement acceptable to both sides of an ancient and difficult dispute. Should you consider it advisable I should be grateful if the opportunity might be taken to impress upon them that the dispute is essentially one for local settlement and that Hellenic interference from outside Palestine adds to the difficulties of reaching a solution. In this connection attention is invited to paragraph 5 of my saving telegram No. 3 of the 4th January 1947.

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C.O. and staff of Palestine by ordinary correspondence. They do not see the necessity of any discussions, and probably no one in the office at present even knows very much about the matter. However, the suggestion that we should take the matter up with Mr Pollock, District Commissioner for Jerusalem, is a constructive one.

Discussed with Mr Burrows. Meeting arranged for 19/3 with Mr Pollock, Mr Waddams & Mrs Miller.

D. Balfour
18/3

Now see separate minute and draft note to Jk. Embassy regarding proposed discussion with the above.

D. Balfour
22/3

Southfern Dept a.a.
Mrs Miller (F.O.R.D.) a.a.
B. Miller 14/4

D.B.
16/4

See within

Mr Tchoudin (Address) to Mr Balfour

Apr 22

Copy this and my letter to Mr Tchoudin (without the envelope), to which it replies, to C.O. office. Southfern Dept.

Mrs Miller (FORD)
B. Miller 8/5

D.B.
3/5

8, J.F.P. (2)
(and ref.)
to P.O. (ref)
May 7

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G.R.

2.

finality in this matter the best advice they could give to the Patriarchate is that endeavours should be made to reach agreement with the Arab laity in order that the High Commissioner may be in a position to bring the law into operation.

It so happens that J.H.H. Pollock, District Commissioner, Jerusalem, who has been responsible for conducting the negotiations, is at present in this country on a short visit, and if you feel that a discussion with him would be useful we could arrange this for you. But, as his presence here is only going to be of short duration, we suggest that you might telephone to him at Mayfair 0164 and ask him to come along and see you. He expects to be here for about a week.

Yours sincerely,



(W. W. Clark)

Curzon House Club

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- 3 -

Top Secret.
Secret.
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Open.

Draft.

such a direct mention of Mr. Katsambelis
in a formal note to the Embassy here,
nor can we be sure that a hint made orally
here will be accurately passed on, and
properly understood in Athens.

D.B.
25/3

NOTHING TO BE WRITTEN IN THIS MARGIN.

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BRITISH EMBASSY

ATHENS.

22nd April, 1948.

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My dear David,

Please refer to your letter (E.3355/2658/31) of April 6th to Patrick Reilly about the Mixed Council of Lay and Clerical Members of the Council of the Orthodox Patriarchate of Jerusalem.

We have discussed the matter with M. Pappas, head of Church Affairs at the Ministry for Foreign Affairs and impressed upon him the necessity of reaching an agreement before our withdrawal from Palestine. M. Pappas agreed that this was highly desirable and added that although both parties, i.e. the Patriarchate and Arab laity, had made concessions, they were equally to blame for failing to reach an agreement.

With regard to action by the Greek Consul-General with a view to promoting agreement among the parties concerned, M. Pappas thought that, with the present state of law and order in Palestine, it was very difficult for M. Capsambelis to visit people frequently. Each time he wanted to see the Patriarch for example, he had to obtain permission from Arabs and Jews and go under a strong armed escort. But even if he succeeded in contacting the Patriarch the competent Arab personalities concerned were now scattered throughout the country. M. Pappas was however sending instructions to M. Capsambelis to report on the present position and promised to let us know as soon as he had a reply.

/Referring

David Balfour, Esq.,
Foreign Office,
London, S.W.1.

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